

Regional Planning Commission Transmittal Checklist

Hearing Date

01/14/2015

Agenda Item No.

7

Project Number: R2014-02734-(1)

Case(s): Conditional Use Permit Case No. 201400129

Environmental Assessment Case No. 201400218

Planner: Kristina Kulczycki

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (ND / MND / EIR)
- ☒ Correspondence
- ☒ Photographs
- ☐ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans

Reviewed By: 



Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER

R2014-02734-(1)

HEARING DATE

1/14/2015

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201400129
Environmental Assessment No. 201400218

PROJECT SUMMARY

OWNER / APPLICANT

Camden Holdings, LLC / 7-Eleven Inc.

MAP/EXHIBIT DATE

10/6/2014

PROJECT OVERVIEW

The applicant is requesting a Conditional Use Permit (CUP) to authorize the sale of beer and wine for off-site consumption (Type 20) within an existing 7-Eleven Convenience Store. The project site includes a one-story building with nine parking spaces in front of the building. Alcohol sales are proposed from 6:00 a.m. to 2:00 a.m. seven days a week.

LOCATION

5105 E. Olympic Boulevard

ACCESS

Olympic Boulevard and Vancouver Avenue

ASSESSORS PARCEL NUMBER(S)

5245-011-042

SITE AREA

0.16 Acres

GENERAL PLAN / LOCAL PLAN

East Los Angeles Community Plan

ZONED DISTRICT

Eastside Unit No. 1

LAND USE DESIGNATION

Community Commercial

ZONE

C-3 (Unlimited Commercial)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

East Los Angeles

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.56.195 (Alcoholic Beverage Control Burden of Proof Requirements)

CASE PLANNER:

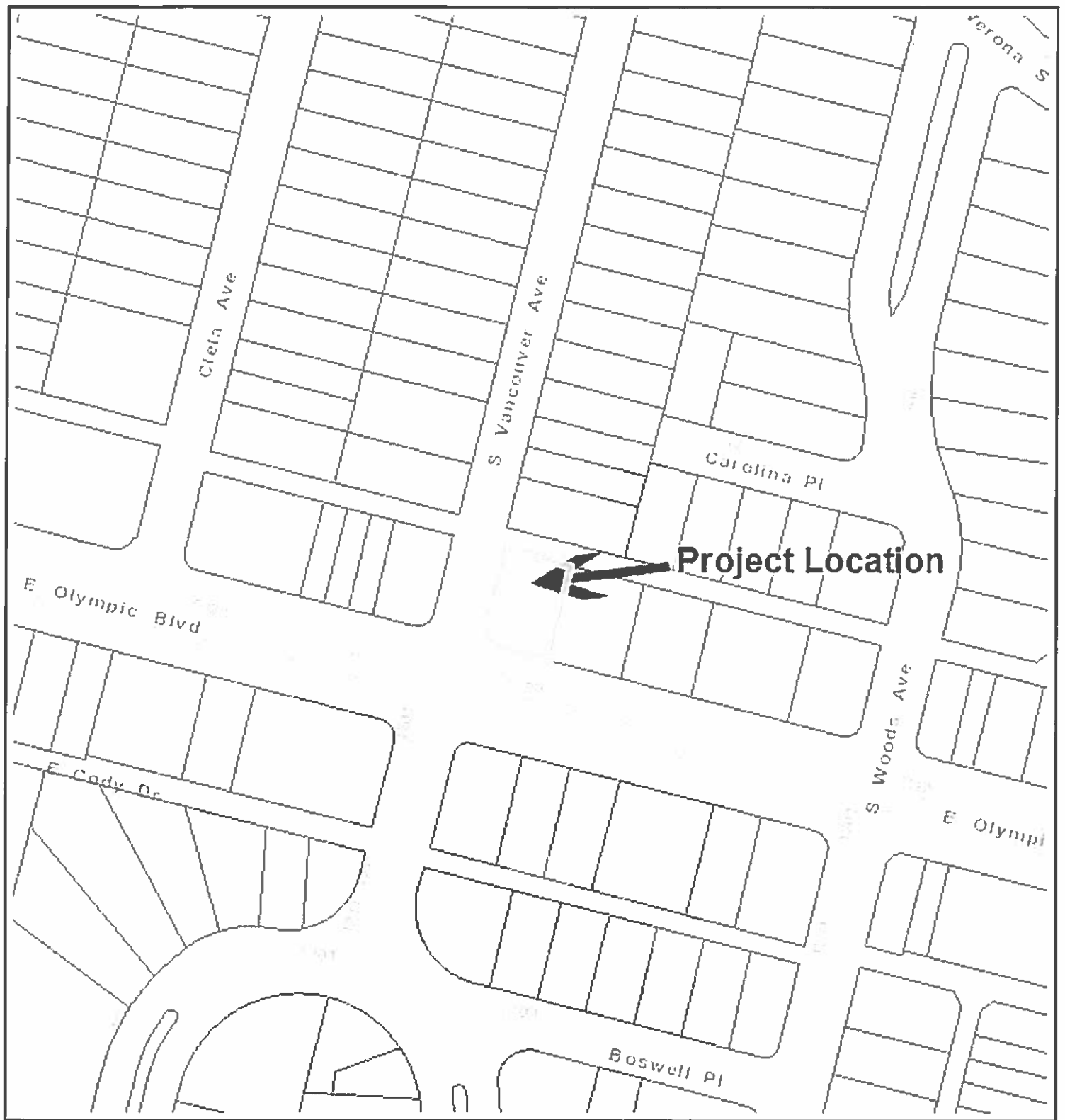
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RCUP 201400129

R2014-02734-(1)

Printed: Sep 29, 2014



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ENTITLEMENTS REQUESTED

- Conditional Use Permit ("CUP") to authorize the sale of beer and wine for off-site consumption in conjunction with a convenience store in the C-3 (Unlimited Commercial) zone pursuant to section 22.28.210 of the Los Angeles County Code ("County Code").

PROJECT DESCRIPTION

The applicant is requesting a CUP for the sale of beer and wine for off-site consumption (Type 20) within an existing "7-Eleven Convenience Store." No alcohol is currently sold on the premises. Alcohol sales are proposed between the hours of 6:00 a.m. and 2:00 a.m. seven days a week.

SITE PLAN DESCRIPTION

The subject property is 0.16 acres in size and is developed with a 2,624-square-foot building containing the convenience store. Approximately 30 square feet of floor area will be used to store beer and wine. An existing paved parking lot containing nine parking spaces is located in front of the building and is accessed from both Vancouver Avenue and Olympic Boulevard.

EXISTING ZONING

The subject property is zoned C-3 (Unlimited Commercial) and is within the East Los Angeles Community Standards District ("CSD").

Surrounding properties are zoned as follows:

North: R-3 (Limited Multiple Residence)

South: R-3, C-3, and IT (Institutional)

East: R-3 and C-3

West: C-3, C-M (Commercial Manufacturing), and M-1 (Light Manufacturing)

EXISTING LAND USES

The subject property is developed with a one-story building containing the convenience store and a paved parking lot in front of the building.

Surrounding properties are developed as follows:

North: Single-family and multi-family residences

South: Single-family residences, multi-family residences, an elementary school, a carwash, a gas station, auto sales, a candy manufacturer, restaurants, a banquet hall, and an office

East: Single-family residences, multi-family residences, a market, retail stores, auto repair, a boxing club, and a beauty salon

West: Single-family residences, multi-family residences, a church, offices, retail, auto repair, and a car wash

PREVIOUS CASES/ZONING HISTORY

Ordinance No. 1690 was adopted by the Board of Supervisors on June 24, 1929 and changed the zoning on the property to C-3.

Regional Planning does not have any record of approval for the construction of the building; however, the Los Angeles County Assessor's records identify the construction of a shop in 1978.

Plot Plan No. 28212 was approved by the Director for a pole sign and wall sign on September 19, 1978.

Plot Plan No. 201301296 was approved by the Director on March 26, 2014 for the conversion of the store from a laundromat to a convenience store.

Plot Plan No. 201400269 was approved by the Director on April 10, 2014 for updated signage.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Class 1 Categorical Exemption allows for the operation of existing facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. No expansions to the existing structure and no intensification of use are proposed. Therefore, staff recommends that the Regional Planning Commission determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the Community Commercial land use category of the East Los Angeles Community Plan. This designation is intended for areas with mostly small businesses in centers or along strips and includes local-serving uses rather than regional stores. The existing convenience store is located along Olympic Boulevard, a major highway lined with C-3 zoned properties. Many of the uses along this highway are restaurants and other types of small commercial businesses. The convenience store use is compatible with other uses along this highway and provides a necessary service to the surrounding community. Therefore, the convenience store is consistent with the permitted uses of the underlying land use category. The sale of alcoholic beverages is ancillary to the commercial business and is therefore consistent with the allowed uses of the underlying land use category.

The following policy of the General Plan is applicable to the proposed project:

- *Maintain and conserve sound existing development. (Policy 20, Page I-21)*

The building was constructed in 1978 and has always operated as a commercial business. The addition of beer and wine sales within the convenience store will help to sustain its operation at this location.

The following policy of the East Los Angeles Community Plan is applicable to the proposed project:

- *Promote coordination and development of existing businesses and encourage upgrading to improve their economic status. (Economic Development, Page Five).*

The addition of beer and wine sales within the existing convenience store will promote the financial viability of the business.

Zoning Ordinance and Development Standards Compliance

Pursuant to section 22.28.210 of the County Code, an approved Conditional Use Permit is required in the C-3 zone for the sale of alcoholic beverages for off-site consumption. The applicant proposes to sell beer and wine for off-site consumption within the existing convenience store with a Type 20 license. Section 22.28.220 of the County Code identifies the following development standards for establishments in the C-3 zone:

- Parking

Section 22.52.1100 requires that every lot or parcel of land which is used for a use permitted in the C-3 zone but not permitted in the R-4 zone shall provide an area of sufficient size so that it contains one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure so used. The site plan identifies a building area of 2,624 square feet; therefore, 10 parking spaces are required and only nine are provided. However, the building was constructed in 1978. At the time the building was constructed, the parking ratio for commercial uses was one parking space for every 400 square feet of building area. Therefore, the applicant satisfies the parking requirements applicable to the project.

- Outside Display

All display shall be located entirely within an enclosed building, with certain exceptions, unless otherwise authorized by a temporary use permit. Outside storage is permitted on the rear of a lot or parcel of land when such storage is strictly incidental to the permitted use. The applicant is not proposing outside display or storage as part of this request.

- Lot Coverage and Landscaping

Maximum lot coverage is 90 percent of the net area and a minimum of 10 percent of the net area shall be landscaped with a lawn, shrubbery, flowers and/or trees, which shall be continuously maintained in good condition. No landscaping is provided on the site. However, the building was constructed in 1978 and the 10 percent net lot area landscaping requirement was not adopted until 1983 by Ordinance Number 83-0161. Therefore, no landscaping was required at the time of construction.

Pursuant to section 22.44.118 of the County Code, establishments in the East Los Angeles Community Standards District ("CSD") are subject to the following development standards:

- Signage
The CSD includes restrictions on freestanding signs and outdoor advertising signs. The CSD also restricts the total permitted sign area to 10 percent of the building face and clarifies that this area shall not exceed 240 square feet. No signage is proposed as a part of this project.
- Height
The maximum building height is restricted to 40 feet in the C-3 zone. The existing building height is 17 feet and six inches, with a parapet wall; therefore, the building height is consistent with the development standard listed in the CSD.
- Multiple-Tenant Commercial
The multiple-tenant commercial requirements listed in the CSD only apply to projects with more than five tenants in a building without permanent floor-to-ceiling walls separating each business. The subject building only contains the convenience store. Therefore, the standards for multiple-tenant commercial projects do not apply to this project.
- Landscaping and Buffering
Pursuant to current County Code requirements, parking areas adjacent to a property line shall provide a five-foot landscaping buffer. Additionally, a landscaping buffer of five feet will be required when a commercial zone abuts a residence or residential zone. Landscaping shall be provided and maintained in a neat and orderly manner. A 15-gallon tree shall be provided for every 50 square feet of landscaped area and will be equally spaced along the buffer strip. Permanent irrigation systems shall be required and maintained in good working order. A solid masonry wall not less than five feet nor more than six feet in height shall be provided along the side and rear property lines. The site was constructed prior to these requirements and no expansion of the existing building is proposed.
- Loading
The CSD states that loading doors and activity shall be located away from adjacent residences where practical. Section 22.52.1084 of the County Code includes a chart identifying the number of required loading spaces based on the use of the site and the gross floor area. For commercial uses that have a gross floor area of less than 5,000 square feet there is no requirement for a loading area. The gross floor area of the subject building is 2,624 square feet; therefore, no loading area is required for this site.

Site Visit

Staff conducted a site visit September 25, 2014, and found that the plans are consistent with the site. The building is well maintained; however, there were several unpermitted banners and temporary signs displayed on the property. Staff has requested that the applicant remove the banners prior to scheduling the case for hearing.

Burden of Proof

The applicant is required to substantiate all facts identified by sections 22.56.040 and 22.56.195 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

Neighborhood Impact/Land Use Compatibility

The subject property is located along a commercial corridor with a variety of commercial uses along both sides of Olympic Boulevard. There are no open Zoning Enforcement violation cases on the property. There are two sensitive uses within a 600-foot radius of the subject property including a church and an elementary school. However, the church is located approximately 400 feet to the west of the subject property and there is an entire block of retail stores between the two uses. Additionally, the elementary school is approximately 500 feet to the southwest of the subject site and it is buffered from the convenience store by both Vancouver Avenue and Olympic Boulevard.

There are no other businesses selling alcohol within 500 feet of the subject property; however, there are four other businesses selling alcohol within the census tract. These other businesses include two liquor stores with Type 21 licenses, one CVS Pharmacy with a Type 21 license, and a market with a Type 20 license. Although the other businesses are within the same census tract, they are at least 700 feet from the subject property. Furthermore, the applicant intends to purchase an existing Type 20 license in the area. According to section 22.56.195 of the County Code, the addition of alcohol sales at the proposed location will not result in an undue concentration of similar premises since there is a separation of not less than 500 feet between the other alcohol-selling establishments and the Project Site.

This property is located within a high crime reporting district. However, the Sheriff provided a summary of calls for service to this property and indicated that there have been no calls for service since the 7-Eleven opened at this location. Staff is of the opinion that with the proposed draft conditions, the sale of alcohol within the existing convenience store will not adversely affect the health, peace, comfort or welfare of persons residing or working in the area, or endanger or otherwise constitute a menace to the public health, safety or general welfare.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Correspondence dated October 2, 2014 was received from the Los Angeles County Sheriff's Department East Los Angeles Station. According to the letter, the convenience store has been open for less than a year and there have been no calls for service since it opened.

The Sheriff indicated that there have been issues with alcohol consumption within the vicinity of the subject property and therefore, requested that conditions be added to the permit in order to: prevent excessive alcohol consumption, prohibit congregating and drinking outside of the building, and ensure that management contacts the local law enforcement if problems arise at the subject site. The following conditions have been added to address the Sheriff's comments:

- The consumption of alcoholic beverages shall be prohibited on the subject property. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the premises.
- Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
- The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

According to the Department of Alcoholic Beverage Control ("ABC"), the addition of a license to sell beer and wine at the subject location would cause an undue concentration of licenses within the census tract. There are currently four ABC licenses in this census tract, three are allowed. Additionally, statistical data from ABC's report indicates that the site of the subject request is located in a high crime reporting district. The subject property is in Reporting District 286 and Census Tract 5317.02. The average number of offenses is 85.7 and the actual number of crimes reported for District 286 is 484. Therefore, ABC requires a finding of public convenience or necessity in order to issue authorization to allow for alcohol sales. The granting of this CUP to sell beer and wine for off-site consumption at an existing 7-Eleven store will serve as a public convenience to the surrounding neighborhood and patrons of the establishment, and is a complementary use for the store.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

A letter dated November 19, 2014 was received from the Montebello Unified School District that expresses support for the project and identifies the applicant as a "responsible retailer."

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2014-02734-(1), Conditional Use Permit Number 201400129, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING, DETERMINE THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO THE CLASS 1 CATEGORICAL EXEMPTION, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201400129 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Kristina Kulczycki, Regional Planning Assistant II, Zoning Permits East Section

Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:

Draft Findings, Draft Conditions of Approval

Applicant's Burden of Proof statement

Correspondence

Site Photographs

Site Plan, Land Use Map

MM:KK

12/1/14

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02734-(1)
CONDITIONAL USE PERMIT NO. 201400129**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400129 ("CUP") on January 14, 2015.
2. The permittee, 7-Eleven Inc. ("permittee"), requests the CUP to authorize the sale of beer and wine for off-site consumption within an existing convenience store ("Project") on a property located at 5105 E. Olympic Boulevard in the unincorporated community of East Los Angeles ("Project Site").
3. Pursuant to Los Angeles County Code ("County Code") section 22.28.210, the sale of alcoholic beverages for off-site consumption in connection with the operation of an existing convenience store is permitted in the C-3 (Unlimited Commercial) zone provided a CUP is first obtained. Additionally, pursuant to section 22.56.195.A.(1), establishments that do not currently, but propose to, sell alcoholic beverages, for either on-site or off-site consumption require a CUP. To sell beer and wine for off-site consumption, the permittee must first obtain a Type 20 license from the California Department of Alcoholic Beverage Control ("ABC").
4. The Project Site is 0.37 gross acres (0.16 net acres) in size and consists of one lot. The Project Site is rectangular in shape and is developed with a 2,624-square-foot store and a parking lot.
5. The Project Site is zoned C-3 (Unlimited Commercial) which allows for the sale of alcohol in connection with the operation of an existing convenience store with the approval of a CUP. The Project Site is also located within the East Los Angeles Community Standards District ("CSD") which has development standards for uses in the C-3 zone.
6. The Project Site is located within the Community Commercial land use category of the East Los Angeles Community Plan Land Use Policy Map.
7. Surrounding Zoning within a 500-foot radius includes:
 - North: R-3 (Limited Multiple Residence)
 - South: R-3, C-3, and IT (Institutional)
 - East: R-3 and C-3
 - West: C-3, C-M (Commercial Manufacturing), and M-1 (Light Manufacturing)
8. Surrounding land uses within a 500-foot radius include:
 - North: Single-family and multi-family residences

- South: Single-family residences, multi-family residences, an elementary school, a carwash, a gas station, auto sales, a candy manufacturer, restaurants, a banquet hall, and an office
- East: Single-family residences, multi-family residences, a market, retail stores, auto repair, a boxing club, and a beauty salon
- West: Single-family residences, multi-family residences, a church, offices, retail, auto repair, and a car wash
9. The Project Site was zoned C-3 in 1929 with the adoption of Ordinance No. 1690 and the building was constructed in 1978. In 2014, the laundromat was converted to a convenience store with the approval of Plot Plan No. 201301296.
10. The site plan for the Project Site depicts an existing 2,624-square-foot building located in the northern portion of the property and a parking lot to the south. The floor plan identifies five coolers on the eastern side of the store where the beer and wine are proposed to be located.
11. The Project Site is accessible via Olympic Boulevard to the south and Vancouver Avenue to the west. Primary access to the Project Site will be via an entrance/exit on Olympic Boulevard. Secondary access to the Project Site will be via an entrance/exit on Vancouver.
12. The existing on-site parking lot contains nine parking spaces; five are standard-sized, three are compact, and one is designated as an accessible parking space.
13. The County Sheriff's Department ("Sheriff") indicated the convenience store has been open for less than a year and there have been no calls for service since it opened. After summarizing the calls for service for the Project Location, the Sheriff provided recommended conditions to: prevent excessive alcohol consumption, prohibit congregating and drinking outside of the building, and ensure that management contacts the local law enforcement if problems arise at the subject site.
14. ABC provided statistics for the crime reporting district indicating that the total number of offenses in Reporting District 286 is 484 and the average number of offenses per district is 85.7; therefore, the Project Site is located in a high crime reporting district. The number of licenses allowed in Census Tract 5317.02 is three and there are currently four existing licenses; therefore, ABC indicated that there is an undue concentration of licenses in this area.
15. Prior to the Commission's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the sale of beer and wine for off-site consumption within an existing convenience store, with negligible or no expansion of use beyond that which was previously existing.

16. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
17. The Montebello Unified School District submitted a letter dated November 19, 2014 that expressed support for the Project.
18. *To be inserted after the public hearing to reflect hearing proceedings.*
19. The Commission finds that the Project is consistent with the goals and policies of the East Los Angeles Community Plan ("Community Plan"), a component of the General Plan, based on the following. The Community Commercial land use designation is intended for local-serving uses, like the existing convenience store. The sale of beer and wine is ancillary to the business and is therefore consistent with the allowed uses of the underlying land use category. The Community Plan contains policies to ensure compatibility of development with the surrounding area. The Community Plan seeks to "[p]romote coordination and development of existing businesses and encourage upgrading to improve their economic status." (East Los Angeles Community Plan Economic Development Policies, page five.) The addition of beer and wine sales as an ancillary use to the convenience store will help to ensure the continuing financial viability of the business.
20. The Commission finds that the Project is consistent with the C-3 zoning classification because the sale of alcohol in conjunction with the convenience store use is permitted in the C-3 zone with a CUP pursuant to section 22.28.210 of the County Code.
21. Conditions will provide additional safety measures, such as the maintenance of on-site security cameras and adequate lighting, in an effort to ensure that the business will continue to operate in a safe, neighborly manner. Based on the foregoing, the Commission finds that the Project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the Project Site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
22. Regional Planning staff visited the Project Site on September 25, 2014, and found that the existing facilities include parking, signage, and façade design that are consistent with Plot Plan No. 201301296. Based on the foregoing, the Commission finds that the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features as are required in order to integrate the Project into the surrounding area.
23. The Project Site is accessible from Olympic Boulevard, an existing major highway, and is located along a proposed Class II Bike Path as classified in the 2012 Bicycle Master Plan adopted by the Board of Supervisors on March 13, 2012. There is also a bus stop located along Olympic Boulevard in the southwestern corner of the intersection of Olympic Boulevard and Vancouver Avenue. Based on the foregoing,

the Commission finds that the Project Site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

24. There are two sensitive uses within a 600-foot radius of the Project Site. The church is located approximately 400 feet to the west of the subject property and there is an entire block of retail stores between the two uses. The elementary school is approximately 500 feet to the southwest of the Project Site and it is buffered from the convenience store by both Vancouver Avenue and Olympic Boulevard. Based on the foregoing, the Commission finds that the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.
25. The Commission finds that the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area. There are residences to the north of the Project Site; however, there is a 20-foot wide alley that separates the residential uses from the commercially-zoned properties lining Olympic Boulevard.
26. ABC indicated that there is an undue concentration of licenses within the census tract and therefore, requires a finding of public convenience or necessity in order to issue authorization to allow for alcohol sales. The granting of this CUP to sell beer and wine for off-site consumption at an existing 7-Eleven store will serve as a public convenience to the surrounding neighborhood and patrons of the establishment, and is a complementary use for the store. However, the Commission finds that pursuant to County Code section 22.56.195, the addition of alcohol sales at the proposed location will not result in an undue concentration of similar premises since there is a separation of not less than 500 feet between the other alcohol-selling establishments and the Project Site.
27. The Commission finds that there are no other businesses selling alcohol within 500 feet of the Project Site. Furthermore, the sale of alcohol will be incidental to the sale of other convenience items within the store. Based on the foregoing, the Commission finds that the requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
28. A site visit by staff from the Department of Regional Planning confirmed that the property is well maintained. Conditions related to property maintenance will ensure that the exterior appearance of the building will remain clean and free of graffiti. Based on the foregoing, the Commission finds that the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

29. The Commission finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to fifteen (15) years.
30. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the East Los Angeles Library. On November 19, 2014, a total of 108 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as seven notices to those on the courtesy mailing list for the Eastside Unit No. 1 Zoned District and to any additional interested parties.
31. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.

- G. The requested use will not result in an undue concentration of similar premises.
- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
- 2. Approves Conditional Use Permit No. 201400129, subject to the attached conditions.

MM:KK
12/1/14

- c: Each Commissioner, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02734-(1)
CONDITIONAL USE PERMIT NO. 201400129**

PROJECT DESCRIPTION

The project is for a Conditional Use Permit ("CUP") to authorize the sale of beer and wine for off-site consumption within an existing convenience store subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on January 14, 2030.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate

Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for eight (8) or biennial (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification

of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **March 16, 2015**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS

19. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
20. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
21. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request.
22. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures.
23. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
24. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar

public service area. Such telephone numbers shall be visible by and available to the general public.

25. The consumption of alcoholic beverages shall be prohibited on the subject property. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the premises.
26. No sale of alcoholic beverages shall be made from a drive-in window.
27. There shall be no beer sold in containers under one quart or in less than six-pack quantities.
28. No display of alcoholic beverages shall be made from an ice tub.
29. Employees on duty from the hours of 10:00 p.m. and 2:00 a.m. who sell alcohol shall be at least 21 years of age.
30. No alcoholic beverages shall be displayed within five feet of the cash register or the front door unless it is in a permanently affixed cooler.
31. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities.
32. No malt liquors and/or malt based products with alcoholic content greater than five percent by volume shall be sold.
33. The sale of fortified wines shall be prohibited.

PROJECT SITE SPECIFIC CONDITIONS

34. This grant shall authorize the sale of beer and wine for on-site consumption within the existing convenience store.
35. Alcohol sales shall be prohibited between 2:00 a.m. to 6:00 a.m. seven days a week, consistent with California state law.
36. The permittee shall display alcoholic beverages only in the coolers or shelving designated for storage of said beverages as depicted on the floor plan labeled Exhibit 'A'. No additional display of alcoholic beverages shall be provided elsewhere on the premises.
37. The coolers designated for the storage of alcoholic beverages as shown on the Exhibit 'A' shall be locked during non-sale hours.
38. At least two on-site security cameras shall be maintained in good operating condition within the convenience store and shall be in operation during regular business hours. Footage from the security cameras shall be retained for at least 30

days, during which time it shall be made available to law enforcement upon request.

39. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties.
40. The permittee shall provide adequate lighting above all entrances and exits to the premises and in all parking areas and walkways under control of the permittee or required as a condition of this grant.
41. All litter and trash shall be collected regularly from the premises and the adjacent right-of-way.
42. The licensed premises shall have no coin operated amusements, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines, with the exception of official State Lottery machines.
43. No outside storage is permitted on the subject property.
44. The permittee is required to purchase an existing alcohol license in the East Los Angeles community no later than **March 16, 2015**. If, despite evidence provided to the Director of Regional Planning ("Director") of best efforts to obtain an expired license, the permittee requires additional time, then the permittee may request additional time in writing from the Director. It will be at the discretion of the Director to determine whether additional time will be granted to the permittee.



Los Angeles County
Department of Regional Planning
Planning for the Challenges Ahead



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The project is located within the Community Commercial land use category of the Los Angeles County general plan. the designation is intended to provide areas in which local commercial or industry uses can be established to serve the needs of the local community. the property is located within the east los angeles community plan. the plan text is silent with regards to alcohol sales. the granting of the conditional use permit will allow the continued operation of a viable market located in a commercially zoned property on a commercial corridor within walking distance of a residential areas.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The project will be maintained in its current size and shape which abides to all size and shape requirements stated under title 22.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

the proposed project is not expected to increase traffic, but rather provide a wider selection of goods which its current customer base can purchase. the site is currently serviced by olympic blvd. which is designated as a major highway. therefore the site will continue to be adequately served by highways and streets of sufficeint width and by other public facilities as required.

CONDITIONAL USE PERMIT BURDEN OF PROOF

Continued...

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

A. Continued....

Therefore, the proposed use will be consistent with the adopted general plan for the area.

The sale of beer and wine will expand the current retail mix of a recently established 7-Eleven store. The said store is located in an urbanized area with a mix of residential, retail and commercial uses. The application included specific design elements intended to control and secure the stock of alcoholic beverages. Further, the access is configured to accommodate adequate circulation for customers and emergency response vehicles. The sale of beer and wine will increase sales tax revenue for County of Los Angeles. This use will not adversely affect the economic welfare of the community because the store has positively impacted the financial health of the property and improved the economic vitality of the area via increases in taxable revenue and local employment. Therefore, the proposed use will not adversely affect the welfare of the surrounding community.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.195, the applicant shall substantiate the following:
(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

ABC License Type No(s): 20 (e.g. Type 20, Type 41)

A. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

Iglesia la Puerta Abierta is located at 5017 Olympic Blvd and is buffered by two intersections and a block of Retail establishments. The current location, a 7-Eleven convenience store will not be increased in size. winter gardens elementary located at 1277 clela avenue is buffered by major highways. further, the entrance to the school is not located on either of the cross streets of the store.

B. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.

To the east and west of the proposed location along Olympic are properties occupied with retail uses. residential properties are located to the north of the proposed site but are separated from the subject site by an alley way. the existing store's purpose is to serve the nearby residences by providing a safe and clean location to shop.

C. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.

There are no other establishedments that sell alcohol within a 600ft radius. According to the California state dept. of alcoholic beverage control (abc) there are three off-site alcohol sales licenses allocated within census tract no. 5317.02. currently, there is one active off-site license in the same tract.

D. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.

7-Eleven has operational controls over the sale of alcoholic beverages such as required cash register ID scans modual trainings and signed affidavits by franchisee, managers and sales associates; and secret shoppers. the cooler doors will be locked during hours outside of those designated by abc for the sale of alcohol. the sale of beer and wine wil increase sales tax revenue for the county of los angeles.

E. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

The exterior wil not be changed. It will remain an attactive, safe , well lit and friendly place to shop. a 7-eleven maintenance agreement states that graffitti must be removed within 24hrs and the property must be maintained free and clear of debris.



County of Los Angeles
Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169
(323) 264-4151



October 2, 2014

Ms. Kristina Kulczycki
Los Angeles County Department of Regional Planning
Zoning Permits East Section
320 West Temple Street, Room #1346
Los Angeles, California 90012

OCT 03 2014

Re: Conditional Use Permit Consultation for the Sale of Alcoholic Beverages
"7-11 Convenience Store"
5105 E. Olympic Boulevard
Los Angeles, CA 90022
Project # R2014-02734-(1)
Permit # RCUP 201400129

Dear Ms. Kulczycki:

It is my understanding the owner(s) of "7-11" have applied for a Conditional Use Permit and ABC license for their business located at: 5105 E. Olympic Boulevard, Los Angeles. They are requesting to use a type "20" ABC license, which will allow the business to sell beer and wine for off-sale consumption in conjunction with the operation of a market. While I am not advocating my support or opposition to their request for such a permit, it is my responsibility to provide the necessary factual information for those who will make the decision.

The location is currently open and has been open for less than one year. We currently have no calls for service since they have been open.

Currently, the entire policing area of unincorporated East Los Angeles consists of 7.89 square miles. It is comprised of twenty-seven census tracts with several liquor licenses. This is not including the 7.00 square miles of the City of Commerce, which also has three census tracts with forty-one liquor licenses. Due to this, we have several problems with alcohol consumption in our policing area. In addition, stores that sell liquor experience increased criminal activity due to "beer runs" and robberies. Within census tract 5317.02, the area where "7-11" is located, there is one existing such type permit.

We are aware this location does not sell alcohol at this time. We would request the sale of alcohol be limited to only beer and wine. We would hope they are a responsible business and not allow excessive consumption of alcohol at the location and/or allow intoxicated persons to congregate outside their business. In addition, we would like to ensure there is no gang activity at the location.

We would also request law enforcement be called by management and/or employees if problems arise at the location, so they do not escalate into serious problems such as fights and/or shootings. It would be in the best interest for the location to have active and functional cameras with recording for 30 day retention to assist law enforcement with any issues at the location, but this is not a requirement. We would also request all and any gang graffiti be removed from the premises immediately.

My staff has been to the location to conduct a visual inspection and found no issues.

If you have any questions or wish to discuss this matter further, you may contact me, Lieutenant Joshua Bardon, or Deputy Scott Hennessy, at (323) 264-4151.

Sincerely

JOHN L. SCOTT, SHERIFF

A handwritten signature in black ink, appearing to read "S. E. Biagini". The signature is fluid and cursive, with a large initial "S" and "B".

Steven E. Biagini, Captain
East Los Angeles Station

INFORMATION AND INSTRUCTIONS -**SECTION 23958.4 B&P**

- Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC**1. APPLICANT'S NAME****2. PREMISES ADDRESS (Street number and name, city, zip code)**

5015 E Olympic Blvd., East Los Angeles CA 90022

3. LICENSE TYPE

20

4. TYPE OF BUSINESS

Full Service Restaurant	Hofbrau/Cafeteria	Cocktail Lounge	Private Club
Deli or Specialty Restaurant	Comedy Club	Night Club	Veterans Club
Cafe/Coffee Shop	Brew Pub	Tavern: Beer	Fraternal Club
Bed & Breakfast:	Theater	Tavern: Beer & Wine	Wine Tasting Room
Wine only	All		
Supermarket	Membership Store	Service Station	Swap Meet/Flea Market
Liquor Store	Department Store	X Convenience Market	Drive-in Dairy
Drug/Variety Store	Florist/Gift Shop	Convenience Market w/Gasoline	
Other - describe:			

5. COUNTY POPULATION

N/A

6. TOTAL NUMBER OF LICENSES IN COUNTY

N/A

On-Sale

Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

1:1,537

On-Sale

x Off-Sale

8. CENSUS TRACT NUMBER

5317.02

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

3

On-Sale

X Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

4

On-Sale

X Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

Yes, the number of existing licenses exceeds the number allowed

No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

X Yes (Go to Item #13)

X No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

286

14. TOTAL NUMBER OF REPORTING DISTRICTS

557

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

47,758

16. AVERAGE NO. OF OFFENSES PER DISTRICT

85.7

17. 120% OF AVERAGE NUMBER OF OFFENSES

103

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

484

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

X Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17

No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.

X b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.

c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

Beatriz Lozada 10-15-14

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

22. APPLICANT SIGNATURE

23. DATE SIGNED

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes

No

See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED



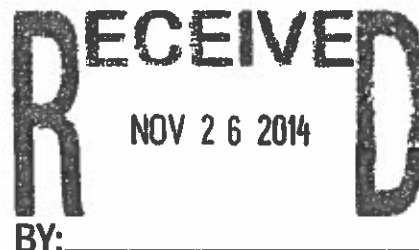
MONTEBELLO UNIFIED SCHOOL DISTRICT

Board of Education

123 South Montebello Boulevard, Montebello, California 90640
(323) 887-7900, ext. 2201 • Fax: (323) 887-5890

November 19, 2014

Los Angeles County Department of Regional Planning
c/o Zoning Permits East, Kristina Kulczycki
320 W. Temple Street
Los Angeles, California 90012



RE: Conditional Use Permit Case #R2014-02734

Ms. Kulczycki:

I am writing in support of CUP Case#R2014-0734 submitted by 7-Eleven to expand the product line, to include beer and wine, of the convenience store located at 5105 E. Olympic Boulevard.

As a Montebello Unified School Board Member, I am concerned about the safety of our students and their access to alcohol and tobacco products. I support businesses that are committed to the safe and legal sale of age restricted products. I am familiar with 7-Eleven's Come to Age Program that teaches employees the policies, procedures, and state regulations specific to selling age restricted products. I understand all employees are required to sign an affidavits stating they are aware of the obligations and ramifications should they not comply with the law. Further, I feel confident in 7-Eleven's adherence to not selling to underaged individuals because of the systematic safeguards put in place in our local stores, such as the register requiring an ID swipe to complete a purchase for a sale that includes beer, wine, or tobacco products etc. Lastly, I see 7-Eleven's commitment to keeping our students safe by actively taking part in secret shopper checks that occur a minimum of once a month.

Further, it is my position that when a retailer has proven its commitment to responsible retailing by implementing comprehensive employee training, sophisticated system controls and participates in strict monitoring, it can be trusted with the privilege of selling age restricted products in a way that is conducive to community. 7-Eleven has demonstrated it is such a retailer and for that reason I support the application considered as CUP Case #R2014-02734.

BOARD OF EDUCATION

DAVID VELA, President
BENJAMIN CÁRDENAS, Vice President
EDGAR CISNEROS, Clerk
LANI CUPCHOY, Member
HECTOR A. CHACON, Member

ADMINISTRATION

CLEVE A. PELL, Superintendent of Schools
SUSANNA CONTRERAS SMITH, Superintendent of Education
ARTHUR P. REVUELTAS, Deputy Superintendent
CHERYL A. PLOTKIN, Assistant Superintendent - Business Services
JILL E. ROJAS, Assistant Superintendent - Human Resources
ANTHONY J. MARTINEZ, Ph.D., Assistant Superintendent - Instructional Services

Los Angeles County Department of Regional Planning
c/o Zoning Permits East, Kristina Kulczycki
RE: Conditional Use Permit Case #R2014-02734
November 19, 2014
Page -2-

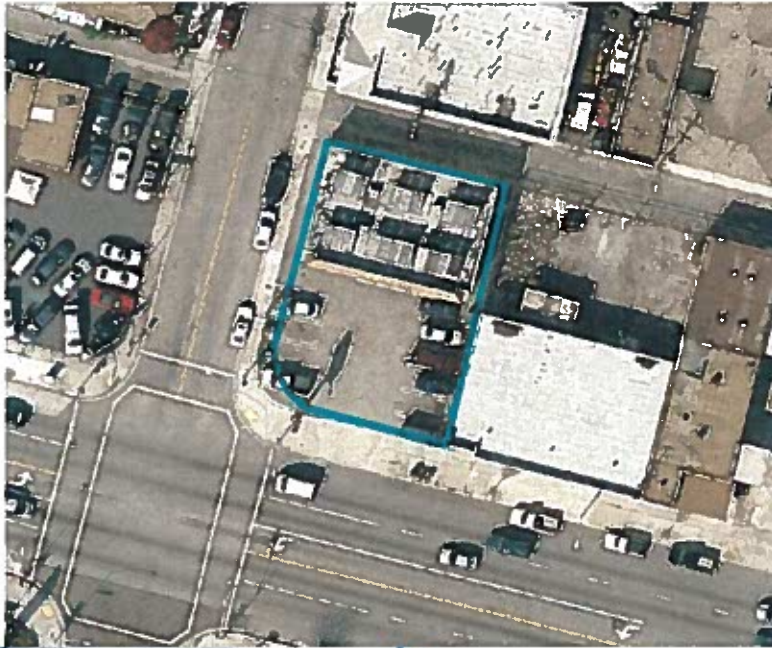
Thank you for your consideration, and I urge the Los Angeles County Regional Planning Commission to support responsible retailers and approve the CUP application being considered.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Vela', written in a cursive style.

David Vela
President, Board of Education
Montebello Unified School Board

Site Photos



VERONA ST

**LAND USE 500 FT.
RADIUS MAP / SENSITIVE
USES - 600 FT. RADIUS**
Proj. R2014-02734 (1)
RCUP 2014-00129

- SINGLE-FAMILY RESIDENCE
- ② MULTI-FAMILY RESIDENCE
- △ OFF-SITE ALCOHOL CONSUMPTION
- SENSITIVE USES

- ☐ SINGLE-FAMILY RESIDENCE
- ☐ TWO-FAMILY RESIDENCE
- ☐ MULTI-FAMILY RESIDENCE
- ☐ INSTITUTION (NON-PROFIT)
- ☐ COMMERCIAL
- ☐ PARKS & GOLF COURSES



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